

**Armory Park Historic Zone Advisory Board (APHZAB)
Legal Action Report**

**Tuesday, 15 January 2019, 7:00 P.M.
St Andrew's Church Parish Hall
E. 16th Street and S. 5th Avenue
Tucson, Arizona**

1. Call to Order/Roll Call.

- APHZAB members: A quorum was initially established with eleven APHZAB members present: Mr. J. Burr, Mr. M. Crum, Ms. P. Factor, Mr. G. Furnier, Mr. S. Grede, Ms. G. Hesley, Ms. M. McClements, Mr. M. Means, Ms. M. Ress, Mr. M. Roberts and Ms. G. Schau. Absent: Mr. P. O'Brien
- IT Support: Mr. K. Taylor
- Guests: Mr. J. Atkinson, Ms. J. Brown, Ms. A. Draper, Mr. R. Draper, Mr. C. Faitsch, Mr. D. Gonzalez, Ms. J. Gonzalez, Mr. B. Lanning and Mr. R. Lanning.

NOTE: Upon calling the meeting to order, the Chairperson, APHZAB announced that PDSD was making an audio recording the meeting for posting on the City Clerk's website.

2. Approval of Minutes from APHZAB meeting on 18 Dec 2018. Motion made by Ms. Factor and seconded by Mr. Burr to approve Minutes from 20 November 2018 as presented. Eleven votes in favor: Mr. J. Burr, Mr. M. Crum, Ms. P. Factor, Mr. G. Furnier, Mr. S. Grede, Ms. G. Hesley, Ms. M. McClements, Mr. M. Means, Ms. M. Ress, Mr. M. Roberts and Ms. G. Schau. Absent: Mr. P. O'Brien.

3. Election of 2019 APHZAB Officers.

a. Ms. M. McClements offered to continue as the Board Chairperson. Motion made by Ms. Factor and seconded by Mr. Burr to approve Ms. McClements to serve as Chairperson for 2019. Ten votes in favor: Mr. J. Burr, Mr. M. Crum, Ms. P. Factor, Mr. G. Furnier, Mr. S. Grede, Ms. G. Hesley, Mr. M. Means, Ms. M. Ress, Mr. M. Roberts and Ms. G. Schau. Opposed: None. Abstention: Ms. McClements.

b. Ms. M. McClements nominated Mr. S. Grede to serve as the Board Vice Chairperson. Motion made by Ms. McClements and seconded by Ms. Factor to approve Mr. Grede to serve as Vice Chairperson. Ten votes in favor: Mr. J. Burr, Mr. M. Crum, Ms. P. Factor, Mr. G. Furnier, Ms. G. Hesley, Ms. McClements, Mr. M. Means, Ms. M. Ress, Mr. M. Roberts and Ms. G. Schau. Opposed: None. Abstention: Mr. S. Grede.

c. Mr. Means will continue to serve as Secretary.

4. Historic Preservation Zone Full Design Review Cases.

Proposed alterations of any design elements must comply with the Unified Development Code (UDC) Section 5.8/TSM 9-02.3.0/Armory Park Historic District Design Guidelines 9-02.7.2/ Revised Secretary of the Interior's Standards and Guidelines.

a. HPZ-18-12, 726 S Bean Ave. Parcel #11707261B. Mr. Brian Kassel, property owner. Continuance from Tucson-Pima County Historical Commission Plans Review Subcommittee (PRS). Present revised design to address the concerns/comments from PRS on the eastern half of the south façade “so as not to include steel windows, and to possibly include some architectural details to break up the massing of that wall”.

- Mr. Kassel provided full hard copies of his revisions to the plans for the presentation. These were slightly different than the files provided through PDSO, in that they provided several options for the board to recommend. The Secretary requested electronic copies of these latest versions, which will also be forwarded to PDSO for the next PRS review.

- Mr. Kassel noted that he has looked at several options to address the PRS concerns. Historic steel windows (which are present in the development zone) are not a viable solution because they don't meet current fire code. As a result, Mr. Kassel provided two options that also provide character to the façade for APHZAB consideration. The first option included two recessed depressions and sills that would approximate window openings seen elsewhere on the building (version B); the second option would include three sealed openings with different proportions (version C). Both would be fully stuccoed to match. Mr. Kassel explained that new skylights and the other windows in rooms would provide adequate lighting, and no windows were actually needed on this elevation. He also showed photographs of buildings in the development zone, as a precedent that showed false openings and non-windowed openings.

- A Board member noted that after consulting with Mr. Taku, that the Board could again recommend (metal fire) windows if it believed it was the best option and if Mr. Kassel wanted them, as the Ginn contributing property in the development zone has historic steel windows.

- Mr. Kassel stated that his current preferred option is version B (two recessions/sills suggesting closed up windows) included with the addition of rooftop skylights (not visible, as inside the parapet).

- Mr. Kassel also noted that he changed the gate on the north side to the open designed one suggested by the Board at its prior review for consideration.

Action Taken: the Board recommends approval of (version B, 1-11-2019) of two recessions with sills approximating closed window openings on the 0' lot-line eastern portion of the southern wall, and the revised open metal gate on the north courtyard, as presented.

Motion made by Mr. Crum and seconded by Ms. Factor. Eleven votes in favor: Mr. J. Burr, Mr. M. Crum, Ms. P. Factor, Mr. G. Furnier, Mr. S. Grede, Ms. G. Hesley, Ms. M. McClements, Mr. M. Means, Ms. M. Ress, Mr. M. Roberts and Ms. G. Schau. Absent: Mr. P. O'Brien. Ms. McClements, Chairperson, and Mr. Grede, Vice Chairperson, provided the APHZAB stamp to the revised and presented plans with comments and signatures.

b. HPZ-18-108, 438 S. 3rd Avenue. Parcel #11707012A. 9th Generation Ventures LLC, property owner. Second presentation of proposal to add new windows.

- Mr. Bob Lanning, architect for the owner, presented a revised plan for three new, 3'0"x 5'0" windows on the second floor of the addition built in 2010. This includes removal of two smaller existing 3'6"x 2'8" windows on the north façade and replacement with the new larger windows. The new windows will be aligned with an existing window and French doors on the first floor. A third window will be added on the west facade. All windows are wood/wood, double hung, nine over nine paned, painted white, and match existing windows that were replaced in 2010.
- There are no modifications on the 1877 original structure. Nor are there any plans for new windows on the zero lot line, south façade as previously proposed.

Action Taken: the Board recommends approval of the three new window locations (two realigned replacements, and one new) and window configurations (materials/manufacturer to match existing), as presented.

Motion made by Mr. Crum and seconded by Ms. Hesley. Eleven votes in favor: Mr. J. Burr, Mr. M. Crum, Ms. P. Factor, Mr. G. Furnier, Mr. S. Grede, Ms. G. Hesley, Ms. M. McClements, Mr. M. Means, Ms. M. Ress, Mr. M. Roberts and Ms. G. Schau. Absent: Mr. P. O'Brien. Ms. McClements, Chairperson, and Mr. Grede, Vice Chairperson, provided the APHZAB stamp to the plans with comments and signatures.

c. HPZ-19-03, 526 S. Herbert Ave, Parcel #117-07-0790. Dennis Gonzales, property owner. Proposal to rehab windows/doors and address zoning violations and stop work order issued on 2 October 2018.

- Mr. Gonzales stated that his intent was to describe the previous condition of the house, what work was recently completed before approval and present plans to repair and fix the deficiencies. He acknowledged that the repairs were neither correct nor approved, thinking of them as maintenance, but confirmed his intent to now be compliant with all future repairs/replacements.
- The package that was forwarded to PDSD included pictures from 2013 and September 2018. It included a site plan with proposed revisions. It also included pictures of repairs made prior to the stop work order. He noted that over time several windows were replaced with vinyl windows and the doors were replaced with inappropriate doors. His latest replacements were new vinyl slider windows and metal doors. He is aware and willing to appropriately now again replace these with approved treatments. The work also included closing a window opening on the south façade that overlooked the neighbor property. He plans on reopening the closed window to its original proportions. Mr. Gonzales stated that he has worked with the city's Historic Preservation Officer to revise his plans.
- Additionally the porch overhang on the rear of the property was rebuilt to replace deteriorating and rotting timbers due to severe water damage. Concurrently, the porch roof was expanded along the majority of the rear of the structure to include coverage to protect the washer and dryer and the gas water heater. Mr. Gonzales assured the Board that run off from the overhang would be contained within the property. It was noted by the Board that the photos presented during the meeting suggest a different configuration of the rear porch extension from those presented on the plan.

- Mr. Gonzales also found a photo of the house, which he presented of what the facade looked like in c. 1942. It showed two over two double hung windows, and a single-light (Victorian style, paneled) door with screen. So his new plan is to replace all of the vinyl sliding windows with double or single hung, two over two, wood windows similar to those on a sister property at 524 S. Herbert. (Arizona Wholesale Window Company has provided a quote for new Jen-Weld windows.) The closed up window on the south side will be restored to its original opening and configuration, as well. The doors are not wood and will be replaced as well.
- The exterior will be re-stuccoed to repair deteriorating exterior walls with dash splatter finish of medium texture, which was the original finish. (This was not a part of the violation)
- Because the redrawing of the lot lines between 526 and 528 S. Herbert, new water and gas meters had to be relocated on the property. New heating and cooling will be done via mini-splits.

The Board provided the following feedback:

- The Board recommended that Mr. Gonzales consider a more Victorian style wooden door similar to the metal one being replaced (single large upper light with inset door panels below) rather than copying the door on 528 S. Herbert which is more Craftsman in style. He agreed, as it is similar to the early one he recalls, and would provide more interior light. Mr. Gonzales will forward a quote for the new door.
- The Board recommended that the modification of the drawing of the rear of the property on the site plan be corrected to more accurately show the as-built completed work of the porch replacement and extension.
- The Board recommended the wood, double hung, 2 over 2 replacement windows, to be similar to a the 1942 picture shown of 524 S Herbert. Mr. Gonzales agreed.
- The Board recommended that specifications for the proposed windows and doors reflective of the agreed upon changes above be included as part of the PRS review, including all the photographs presented during the meeting rather than in the submittal.

Action Taken: the Board recommends approval of the remedial /renovation plans with the following conditions: re-stucco as necessary replicating the original finish; return of all openings to historic proportions; replace all windows with two over two wood, double hung window replacements (similar to those shown in the 1942 photo); replacement of the two doors with Victorian style wood doors (similar to the metal replacement door currently on the building with large single-light over inset panels) rather than a Craftsman-style door, and replacement/extension of the porch as built and shown in the photos, including a setback from the north and south rather than as depicted on the site plan extending along the entire rear facade, one on the property line.

Motion made by Mr. Burr and seconded by Mr. Crum. Eleven votes in favor: Mr. J. Burr, Mr. M. Crum, Ms. P. Factor, Mr. G. Furnier, Mr. S. Grede, Ms. G. Hesley, Ms. M. McClements, Mr. M. Means, Ms. M. Ress, Mr. M. Roberts and Ms. G. Schau. Absent: Mr. P. O'Brien. Ms.

McClements, Chairperson, and Mr. Grede, Vice Chairperson, provided the APHZAB stamp to the plans with comments and signatures.

5. Courtesy Reviews. Information and feedback only. (No action required)

a. 18th Street Bungalow four house project. Mr. Chris Faitsch, co-owner. Install fence.

- Mr. Faitsch provided an overview of his concept to add wrought iron security fencing. The proposed fence would extend across the entire rear of the bungalow project, include gates on the east and west ends, and partial fencing between the four houses. There are two proposed heights: 4' and 7'.

- The Board advised Mr. Faitsch that his proposed security fence would be covered by a minor review and offered to provide him information to prepare an application.

- The Board also advised Mr. Faitsch that despite the Mayor and Council/City of Tucson adopted 2018 International Building Code revision that now allows without permit a 7' tall fence, both the Zoning Code, including the HPZ code, have priority and will limit the fence to 6' tall without variance. In addition, the HPZ code requires finial tips or caps on the tops of the wrought iron posts. An example of flat caps on a wrought iron fence is at 331 E 18th Street and an example of two-step fence heights is at 305 S 4th Avenue. The 4' portions are fine. He may wish to revise down to 4' the taller portion between the two middle houses.

b. 555 E 18th St. Mr. Chris Faitsch. Rebrand "The Bench Café" at Maracanã Indoor Sports as an Iron John's location. The sports building is just to the east of the Armory Park HPZ.

- Mr. Faitsch, owner of the Maracanã Indoor Sports building, and Mr. John Adkisson owner of Iron Johns, provided a concept for revitalizing the interior to include a bar area.

- The concept is to rebrand the existing Bench Café as an Iron Johns Tap Room. They also discussed potential future plans.

- In response to Board questions, Mr. Faitsch foresees the potential for exterior signage and felt parking was adequate.

- The Board recommended that Mr. Faitsch also contact the president of Armory Park Neighborhood Association for a courtesy review as well. He was also encouraged to talk with nearby neighbors.

c. HPZ-18-101, 523 S Russell Avenue. Parcel #117142110. Mr. Richard Lanning, property owner. Application for a new addition. Continuation from full review on 20 Nov 2018 and a courtesy review on 18 Dec 2018.

- Mr. Lanning provided an overview of his revised concepts in response to previous Board feedback. The walls and height of roof have been reduced in height from 13'4" to 11'. One small area was reduced to 8' and was not roofed, separating the two primary structures. The roof

style has changed from a clay tile shed roof to a parapet style roof on 70% of the new structure. The size of the new addition was reduced 300sq ft and is smaller than the primary contributing property (including its non-contributing extension). The northeast patio area increased by 100 sq ft and the main courtyard increased by 200 sq ft.

- The perimeter wall of the neighbors to the east is 11', the same as the proposed height of the new design.
- The tree in the inner courtyard is to remain.

The Board provided the following feedback:

- The Board appreciates the effort by the owner to incorporate previous feedback into partial revised plans.
- The Board requested elevations of the interior courtyard facades, the exterior courtyard facade, and the door and window schedules.
- The Board questioned the use of the small, fireproof windows to break up the facades. Mr. Lanning agrees and said the windows were only included as per his understanding of the Board's recommendation to break up the facades.
- The Board recommends consideration of alternative roofing materials including standing seam metal, but not corrugated metal on the sloping portions of the roof into the courtyard, which were discussed but not available for review. Mr. Lanning is willing to look at all alternatives.
- The Board, although pleased that some portions of the perimeter wall are now lowered somewhat to suggest multiple massing, is still concerned about the scale the walls present along property lines, especially on the north (kitchen/shop area) and south (east of the standing wall). It was suggested that perhaps a roof slope configuration to further lower the perimeter height could be considered in some areas.
- The barn-wood/ brick surface treatment, rather than stucco, is not appropriate for the site.
- Mr. Lanning is not sure when a final proposal will be brought back for his second and final full review.

6. Update status of APHZAB design guidelines project and approval of minutes and recommendations discussed in violation of Open Meeting Law at the APHZAB Design Guidelines Working Group meeting on December 4, 2018.

- The Working Group recommends that the APHZAB, with voting authority, approve the minutes of the working group meeting conducted on 4 Dec 2018 and confirm that the working group is performing according to APHZAB expectations.

- Mr. Means provided an update on the proposed plans and schedule. The focus is on developing a 20 page design guideline with an executive summary. An end to end product will be available for review and feedback NLT 8 Feb. Two drafts are planned and include reviews by APHZAB, PDSD, and PRS. The authors have provided excellent input and we don't want to lose any of that content. The plan for content that does not fit into the 20 pages will be included as an appendices or attachments. The target submittal date is 1 Aug 2019.

- Mr. Grede expressed concerned about cutting the historic landscape section, which is essentially new and without precedent to date. He was encouraged to provide feedback during the draft review cycles. Again, no content is lost, but may end up in an appendix or annex to meet reasonable page count goals. The final products will be determined by the full board after reviews.

Action Taken: the Board approves the minutes from the working group meeting on 4 Dec 2018, as presented and recommended by the WG.

Action Taken: the Board recommends approval of the minutes from the working group meeting on 4 Dec 2018.

Motion made by Mr. Crum and seconded by Mr. Roberts. Eleven votes in favor: Mr. J. Burr, Mr. M. Crum, Ms. P. Factor, Mr. G. Furnier, Mr. S. Grede, Ms. G. Hesley, Ms. M. McClements, Mr. M. Means, Ms. M. Ress, Mr. M. Roberts and Ms. G. Schau. Absent: Mr. P. O'Brien.

7. Current Issues for Information/Discussion

- a. Minor reviews conducted since last APHZAB meeting. None conducted.

- b. Status of Zoning violations. No change on violation at 731 S. 4th.

- c. Annual historic preservation training.

- The Board discussed specific training the APHZAB may want to request and when. Ms. Brown, Historic Preservation Officer, was asked to provide some feedback for information purposes.

- PDSD plans to conduct more centralized training for all HPZ boards for 2019. No dates are set yet.

- Previous PDSD training material is available for APHZAB board members at https://drive.google.com/drive/u/1/folders/1rJiV_53ercxx7BXhGYdxyvzKTbC7GQLN

- The Board provided some feedback on the course content offered in 2018 and recommendations for the next offering of training.

- There may be webinars that may be relevant for APHZAB members. PDSD will publish events for those interested.

8. Call to the Board. (Information only)

- There was an unauthorized demolition in Barrio Historico. What occurred there may be relevant to Armory Park. It begs the question: “what should be done if we see heavy equipment being stationed on a property?”
- A new proposal for a hotel on Stone Avenue surrounded by the HPZ but not in it may be of interest to APHZAB, even though there is no review authority.
- Planning Commission is conducting a study session on the Height Text Amendment on January 16. The Public Hearing will be held in February.
- The Chair will consult with PDSD regarding a project on South 4th Avenue that is moving forward in construction that has not yet satisfied its zoning violation remediation requirements.
- It was noted that the Board should look holistically at applications, even though some portions may not be visible from the street view. All exterior elevations are subject to review and should be included in all proposals.
- It was requested that the Board should schedule an agenda item at the February meeting to discuss improvements to the Board’s process for design reviews.

9. Call to the Public. (Information only) No comments.

10. Next Scheduled Meeting: 19 Feb 2019

11. Adjournment at 9:10pm.

Martha McClements
Chairperson, APHZAB